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GENERAL ORDERS,

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, April 2, 1863.

No. 84.

I.—Before a General Court-Martial which convened at Stafford Court House, Virginia, December 24, 1862, pursuant to Special Orders, No. 142, dated Headquarters 11th Corps, Army of the Potomac, December 23, 1862, and of which Colonel WILLIAM H. NOBLE, 17th Connecticut Volunteers, is President, were arraigned and tried—

1. 2d Lieutenant *William J. Briggs*, 75th Pennsylvania Volunteers:

CHARGE.—“Drunkenness while on guard duty.”

Specification.—“In this: that the said *William J. Briggs*, Second Lieutenant of Company C, 75th Regiment Pennsylvania Volunteers, being a commissioned officer, was in the night of the 24th to the 25th day of November, 1862, while he, the said Briggs, was on guard or picket duty in the neighborhood of Centreville, Virginia, totally drunk and intoxicated, and that he, the said Briggs, was then and there found drunk and intoxicated by me, the undersigned, who was then acting as officer of the Division.

CH. LEHMANN,

*Lieutenant Colonel 26th R. W. V.*”

To which charge and specification the accused, 2d Lieutenant *William J. Briggs*, 75th Pennsylvania Volunteers, pleaded “Not Guilty.”

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, 2d Lieutenant *William J. Briggs*, 75th Pennsylvania Volunteers, as follows:

Of the Specification, “Guilty of the offence therein stated, except the word ‘totally,’ on the afternoon of the 24th of November, 1862.”

Of the CHARGE, “Guilty.”

SENTENCE.

And the Court does, therefore, sentence him, 2d Lieutenant *William J. Briggs*, 75th Pennsylvania Volunteers, “To be cashiered.”

2. Lieutenant Colonel *William Sackett*, 9th New York Cavalry :

CHARGE 1st.—“Gross neglect of duty.”

*Specification.*—“In this: that Lieutenant Colonel *Sackett*, 9th New York Cavalry, between the hours of 1 and 2 o'clock a. m., the 15th of December, 1862, when all the different regiments of the Brigade were ordered to get up and take the position of Stand to horse, until further orders, on account of heavy musketry fire being heard in that direction, he, Lieutenant Colonel *Sackett*, after having been personally ordered to get up and see his Regiment ready, as the others were, after some reluctance he did so, but afterwards he left his regiment standing to horse and went and lay down on his blankets again, and in such position was found by the Brigade Commander, who went the second time to wake him up. This at camp near Potomac creek.”

CHARGE 2d.—“Contemptuous behavior and language towards his superior officers.”

*Specification.*—“In this: that Lieutenant Colonel *Sackett*, on the 15th of December, 1862, between the hours of 3 and 4 p. m., having been requested by the Brigade Commander to send his five wagons, which were empty, (and the only ones at that time with the Brigade,) to take grain for all the Brigade, and to have it carried after the Brigade, which had received orders to march immediately, he, Lieutenant Colonel *Sackett*, said to the orderly who brought him the despatch that he could not and he would not do it; he rode up towards the Brigade Commander, and, in presence of officers and enlisted men, in an insolent and unsoldierlike manner, said he could not and would not do it, and that it was as long as it was broad. This at camp near Potomac creek.”

CHARGE 3d.—“Breach of arrest.”

*Specification.*—“In this: that on or about the 19th of December, 1862, Lieutenant Colonel *Sackett*, 9th New York Cavalry, being in

arrest by order of the Brigade Commander, did, between the hours of 9 and 12 o'clock a. m., break his arrest, leaving the camp, and was met by the Brigade Commander himself some two miles and a half distant, at Stafford Court-House, near the Headquarters of Brigadier General Stahl. This done at camp near Stafford Court-House, Virginia."

To all which charges and specifications the accused, Lieutenant Colonel *William Sackett*, 9th New York Cavalry, pleaded "Not Guilty."

#### FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Lieutenant Colonel *William Sackett*, 9th New York Cavalry, as follows:

#### CHARGE I.

Of the Specification, "Guilty."

Of the CHARGE, "Guilty, excepting the word 'gross.' "

#### CHARGE II.

Of the Specification, "Guilty, excepting the words 'in an insolent and unsoldierlike manner.' "

Of the CHARGE, "Not Guilty."

#### CHARGE III.

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

#### SENTENCE.

And the Court does therefore sentence him, Lieutenant Colonel *William Sackett*, 9th New York Cavalry, "To be cashiered."

3. Lieutenant *H. N. Hayes*, Quartermaster, 17th Connecticut Volunteers.

CHARGE.—"Violation of the 36th Article of War."

Specification 1st—"In this: that at divers times and places, from the 15th December, 1862, to January 4th, 1863, he has sold, or caused to be sold, provisions belonging to the government of the United States without a proper order for that purpose."

*Specification 2d*—“In this: that he has embezzled and wilfully misapplied provisions furnished him by the government of the United States for the subsistence of the enlisted men of the 17th Regiment Connecticut Volunteer Infantry, by selling or causing to be sold said provisions, at divers times and places, from the 15th day of December, 1862, to the 4th day of January, 1863.”

*Specification 3d*—“In this: that having received upon regular provision returns of Captain Lyman Y. Stuart, Commissary of Subsistence for the 2d Brigade, 1st Division, 11th Corps, Army of the Potomac, full rations of almost all articles of provisions (for the enlisted men of the 17th Regiment Connecticut Volunteers) by the government of the United States, from the 15th of December, 1862, to the 4th of January, 1863, has withheld such portions of said rations or provisions as to place the men of the regiment on short allowance, and thereby cause want and suffering, and compelling the men of said regiment, in many instances, to purchase from said Lieutenant *H. N. Hayes* provisions which he had thus defrauded them of, in order to their subsistence.”

To which charge and specifications the accused, Lieutenant *H. N. Hayes*, Quartermaster, 17th Connecticut Volunteers, pleaded “Not Guilty.”

#### FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Lieutenant *H. N. Hayes*, Quartermaster, 17th Connecticut Volunteers, as follows:

Of the 1st Specification, “Guilty.”

Of the 2d Specification, “Guilty.”

Of the 3d Specification, “Not Guilty.”

Of the CHARGE, “Not Guilty.”

#### SENTENCE.

And the Court does therefore sentence him, Lieutenant *H. N. Hayes*, Quartermaster, 17th Connecticut Volunteers, “At his own expense to

*make good the damage to the United States, to forfeit all his pay, and to be dismissed from the service."*

II.—The proceedings in the cases of 2d Lieutenant *Briggs*, 75th Pennsylvania Volunteers; Lieutenant Colonel *Sackett*, 9th New York Cavalry; and 1st Lieutenant *Hayes*, Quartermaster, 17th Connecticut Volunteers, are approved by the Major General commanding the Army of the Potomac; but, in consideration of the circumstances and the recommendations of the Court, the sentences have been suspended, under the 89th Article of War, and the proceedings have been forwarded for the decision of the President of the United States, with a recommendation that the sentences be mitigated.

III.—The President mitigates the sentence of Lieutenant *Briggs*, so that, in lieu of cashiering, he be reprimanded by the Colonel of his regiment in presence of the regiment; and the sentence of Lieutenant Colonel *Sackett*, so that, in lieu of cashiering, he be reprimanded by Major General Hooker. The President approves the sentence in the case of 1st Lieutenant *Hayes*, except the dismissal from service, which is remitted.

BY ORDER OF THE SECRETARY OF WAR:  
private property."

E. D. TOWNSEND,

In addition to the benefits as set forth *Assistant Adjutant General*.  
ordered that each soldier now in service who has been honorably discharged shall be allowed a furlough for thirty days, the same to be granted immediately after his re-enlistment.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Assistant Adjutant General.*